

Ham-Policy Digest Thu, 10 Jun 93 Volume 93 : Issue 180

(none)
Bad News For Blind U.S. Hams :-(
Blind VE's (2 msgs)
blind VEs
Need to have your license in Minnesota (2 msgs)
NQQI Loses Big PRB-1 Antenna Case

Archives of past issues of the Ham-Policy Digest are available (by FTP only) from UCSD.Edu in directory "mailarchives/ham-policy".

Date: 9 Jun 93 23:17:11 GMT
From: news-mail-gateway@ucsd.edu
Subject: (none)
To: ham-policy@ucsd.edu

Date: 9 Jun 1993 18:07:22 GMT
From: topaz.bds.com!topaz.bds.com!ron@uunet.uu.net
Subject: Bad News For Blind U.S. Hams :-(
To: ham-policy@ucsd.edu

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> To assemble an exam needs some knowledge of the field to get a
> reasonable set of questions and avoid the risk of concentration in some
> areas.
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Actually, this involves little more than pulling the preprinted ARRL exams out of the box in my case.

> Sending the Morse test is also done by machine by many US examiners,
> I understand.

It's a tape. I can't copy 20WPM anymore so I have to trust the ARRL to put the right stuff on it :-)

Date: 9 Jun 1993 16:09:49 -0500
From: swrinde!cs.utexas.edu!gerald@cc.utexas.edu!thumper@cc.utexas.edu!not-for-mail@network.UCSD.EDU
Subject: Blind VE's
To: ham-policy@ucsd.edu

Helo again, everyone!

As Im not quite used to inserting text in other peoples' articles yet I have had to resort to saving Gary's article and simply putting a paragraph of my own in after a paragraph of his. There are no arrows to indicate his statements, and I apologize for this. But the paragraphs run in order, ...his...mine...his...mine. You get the idea I'm sure. And before the article truly begins, let me express my thanks to amateurs who have emailed me with their support. You are greatly appreciated.

>>

It's neither quibbling nor nitpicking to insist that words mean what they mean. The FCC requirement is unequivocal. They require their VEs to observe the testing procedure, not someone acting in the VE's stead. You can argue that observation is not a necessary function of a VE, but you can't argue that it's not now required, or that a blind person can carry out that function as it is now stated in the regulations.

Yes, words mean what they say. They can also be twisted to meet any purpose, including that of discrediting the blind. No matter how the policy is worded, we the blind will see to it that those words are changed. I wonder if you will be so quick to quote the dictionary then? I rather think you won't be. And one argument that I am very able to make is that if the regulations state exactly what they say you do, then they are in violation of the Rehabilitation act of 1974 as amended and are already overdue for being stricken by the courts.

Or with the same lack of skill. The point is that it is the VE who is certified as being competent, not the reader. Use of a reader removes that certification in the case of observation of testing sessions. The FCC has a valid concern to see that the appearance of impropriety is minimized in it's volunteer program. If that concern can be allayed, then the restriction requiring observation of testing by VEs can be relaxed. Perhaps a *combined* certification of blind amateur and reader would satisfy the concerns. This would be similar, again using driving as an analogy, to the restriction placed on drivers with impaired vision that they must wear their prescription glasses when driving. *And* that the driver's exam test the applicant with those glasses in place, and find performance suitable.

Once again I must correct you. You act as if a reader is more then he/she is (at least on the job). That person is as I have indicated an extension of the blind person, just as is the case with a white cane or in my case, my coke-bottle glasses. Whether or not he/she is certified is immaterial. Readers represent a reasonable accommodation for the blind, and should be viewed as nothing more. That being said I stand by my contention that a blind person is quite capable of "observing" a testing session within specified FCC regs.

Sorry, I hold that measured performance is the only suitable criteria. In the case of observation, that means the ability to *watch* the testing process, with or without aids. And, like in the case of driving, any such aid must be certified to perform acceptably under those conditions.

You're comparing apples and oranges with your references to driving aids. A reader does a good job or they don't remain a reader for very long. The blind person makes that evaluation and if the reader measures up, they stay employed. Using your logic I would be trapped at this terminal, because my white cane has not been certified to be fit to the task of helping me to better perceive my immediate environment. Fuzzy logic might work quite well in autofocus photography, but it just doesn't stand up in this instance.

If you want to warp the meaning of words to your own unique version of facts and common sense, and if you want to draw sympathy by invoking the cry of racism where it does not apply, then I must continue to protest that abuse.

It is not warping words to define their true impact. The FCC uses the single word, "observe" to discriminate against blind persons. The comparison that was made between this and racist policies of years past is quite valid and has

real significance in this case whether you choose to accept it or not. I contend that you do not choose to accept it since you seem to be a spokesman for those who would use words and other measures to discriminate. And please understand what I say here. We are not fishing for sympathy. Our comparison was meant to illustrate fact and draw upon a recognizable analogy, nothing more. Sympathy is one of the things that has kept us from joining society as equals, and we've had quite enough of it. We are not the pitiful blind, but the proud blind. Get used to it.

The FCC, and any other licensing agency has discriminatory policies by mandate and by design. They are charged with the duty of discriminating between those who are competent and those who are incompetent to meet the requirements of the service that they are applying to execute. Being unable to observe a testing session in a VE is no different than being unable to operate Morse code in an amateur applicant for a higher than Technician class license. It's no different than the discrimination applied to examinees by the 70% correct barrier in the written exams. It's a discrimination based on a standard of competency. It's not racist, it's not something out of caves, instead it's something altogether too rare in today's world, an insistence on demonstrated proficiency. Now we are free to disagree with the relevance of those standards, but we must make our case in a clear and rationally convincing manner, not by emotional appeals to unrelated issues of social justice.

Quite a difference stands between requiring excellence and discrimination (in the social sense of the word, of course. Wouldn't want you to strain your back running for your trusty dictionary, Gary. B-)). Given the proper training and equipment the blind are capable of competing on terms of equality as VEs in charge of testing sessions. And we do not shrink from true tests of our competency. As long as these tests are given to all, the blind have no problem whatsoever with taking them. But we do have a problem with cow-towing to discriminatory (in the social sense of the word) policies that keep us down and shut us out. Those, we will not take. And as for social issues, they have to relate to everything. That is why they are social issues, because they concern society. Our American society includes the American amateur radio family and, by the way, the government of the United States of America, of which the FCC is a part. So yes. The social issue of the emerging minority of the blind has relevance here. Much relevance, I think. I stand by what I have said in previous articles. We all have our perceptions of the world, and sometimes they can become distorted. Mine is so clear that I can see all the way to the horizon. If you were to indicate a willingness to learn instead of merely hiding behind dictionaries, Gary, I might be persuaded to lend you a flashlight. The fog down there must be terrible.

--

Gary Coffman KE4ZV		You make it,		gatech!wa4mei!ke4zv!gary
Destructive Testing Systems		we break it.		uunet!rsiatl!ke4zv!gary
534 Shannon Way		Guaranteed!		emory!kd4nc!ke4zv!gary
Lawrenceville, GA 30244				

And there you have it. Gary's response to me and mine to him. Ive gotten much favorable mail since this began, and it just reinforces my resolve to continue. The FCC's policy in this case will change for the better. Bank on it. And thank you all for taking the time to read this.

73 to All!

--

David Milner		*****		Amateur Radio Callsign N 5 R U L (R/R # 3)
(GeNie) D.MILNER		* Moo! *		(Internet) aggedor@ccwf.cc.utexas.edu
Austin, Tx. U.S.A.		*****		I know who I am, and I will NEVER go back!
** Illegitimus Non Carborundom Est! (Don't let the bastards get you down!) **				

Date: Thu, 10 Jun 93 12:18:52 GMT
From: csus.edu!netcom.com!netcomsv!orchard.la.locus.com!prodnet.la.locus.com!
fafnir.la.locus.com!dana@decwrl.dec.com
Subject: Blind VE's
To: ham-policy@ucsd.edu

In article <1v5jit\$7p@thumper.cc.utexas.edu> aggedor@thumper.cc.utexas.edu (The Monster of Peladon) writes:

>Helo again, everyone!

>

>As Im not quite used to inserting text in other peoples' articles yet I
>have had to resort to saving Gary's article and simply putting a
>paragraph of my own in after a paragraph of his. There are no arrows to
>indicate his statements, and I apologize for this. But the paragraphs run
>in order, ...his...mine...his...mine. You get the idea I'm sure. And before
>the article truly begins, let me express my thanks to tamateurs who have
>emailed me with their support. You are greatly appreciated.

Hey, this topic has strayed from the rules and is now a flame war (a polite flame war, but a flame war) over a non-amateur subject. Might I suggest that it best be carried out in provate e-mail, or on alt.radio.amateur.flame?

--

* Dana H. Myers KK6JQ | Views expressed here are *
* (310) 337-5136 | mine and do not necessarily *
* dana@locus.com DoD #466 | reflect those of my employer
*
* This Extra supports the abolition of the 13 and 20 WPM tests *

Date: 9 Jun 1993 18:03:39 GMT
From: topaz.bds.com!topaz.bds.com!ron@uunet.uu.net
Subject: blind VEs
To: ham-policy@ucsd.edu

> It is,
> fundamentally, whether a blind person can conduct affairs that
> involve observations of people and judging of their integrity.

Hold the phone, even a sighted VE can't judge someone's integrity.
Just the integrity of the exam procedure.

Date: 9 Jun 93 14:16:12 CDT
From: usc!howland.reston.ans.net!ux1.cso.uiuc.edu!uwm.edu!msuinfo!uchinews!
raistlin!timbuk.cray.com!hemlock.cray.com!cherry10!dadams@network.UCSD.EDU
Subject: Need to have your license in Minnesota
To: ham-policy@ucsd.edu

In article 1@skyler.mavd.honeywell.com, estey@skyler.mavd.honeywell.com () writes:
|In regard to Minnesota State law concerning the requirement for
|an Amateur to carry a copy of his license

|

|Minnesota law is clear in that it states transporting or using a
|device capable of receiving and in discussing this with some
|law enforcement people, they believe they could confiscate a radio
|that can work at public service frequencies - EVEN IF NOT IN USE. When
|asked if they would actually sieze the radio, even if no other violation
|had occured they said no - not under normal circumstances. In Minnesota,
|the new law is in the Statute Book supplied to peace officers.

|

|Carl

Well now, is this the same law wich was posted here a few days ago wich
we have been discussing? That law clearly stated that it was illegal
to transport or use such a receiver IN A MOTOR VEHICLE. You could use
it on foot or on your bike, for instance, without violating the law.

--David C. Adams Statistician Cray Research Inc. dadams@cray.com
-Sourdough and Ham- NOWWN

- Minnesotans for Global Warming!

Date: Wed, 9 Jun 1993 19:59:59 GMT
From: dog.ee.lbl.gov!overload.lbl.gov!agate!news.ucdavis.edu!othello.ucdavis.edu!
ez006683@network.UCSD.EDU
Subject: Need to have your license in Minnesota
To: ham-policy@ucsd.edu

estey@skyler.mavd.honeywell.com wrote:

: In regard to Minnesota State law concerning the requirement for
: an Amateur to carry a copy of his license

: Minnesota law is clear in that it states transporting or using a
: device capable of receiving and in discussing this with some
: law enforcement people, they believe they could confiscate a radio
: that can work at public service frequencies - EVEN IF NOT IN USE. When
: asked if they would actually sieze the radio, even if no other violation
: had occured they said no - not under normal circumstances. In Minnesota,
: the new law is in the Statute Book supplied to peace officers.

sniff...sniff... I think I smell arbitrary enforcement in the air what
about you. I'm glad I'm white, have short hair, and drive a late model car.

Dan

--

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*-----*
* Daniel D. Todd      Packet: KC6UUD@WA6RDH.#nocal.ca.usa      *
*                    Internet: DDTODD@ucdavis.edu              *
*                    Snail Mail: 1750 Hanover #102              *
*                    Davis CA 95616                            *
*-----*
*      I do not speak for the University of California....    *
*      and it sure as hell doesn't speak for me!!            *
*-----*
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Date: Thu, 10 Jun 93 16:07:44 GMT
From: dog.ee.lbl.gov!overload.lbl.gov!agate!headwall.Stanford.EDU!
nnntp.Stanford.EDU!umunhum!paulf@network.UCSD.EDU
Subject: NQ0I Loses Big PRB-1 Antenna Case

To: ham-policy@ucsd.edu

I have to agree with the appellate court here. The 60 foot crank up tower would have been more than adequate, NQOI's comments about wind notwithstanding. Good quality crankups can be guyed, and are far less of a pain to deal with than those that require you to haul out a climbing belt.

PRB-1 is being wasted by hams who seem to think that it means that they can build any antenna they want.

--

-=Paul Flaherty, N9FZX | "The National Anthem has become The Whine."
->paulf@Stanford.EDU | -- Charles Sykes, _A Nation of Victims_

Date: Wed, 9 Jun 1993 19:54:50 GMT
From: dog.ee.lbl.gov!overload.lbl.gov!agate!news.ucdavis.edu!othello.ucdavis.edu!
ez006683@network.UCSD.EDU
To: ham-policy@ucsd.edu

References <9306060726.AA03021@hwking.cca.cr.rockwell.com>,
<C89DCo.7xq@pacifier.rain.com>, <1993Jun8.165024.22139@ke4zv.uucp>p
Subject : Re: blind VEs

Gary Coffman (gary@ke4zv.uucp) wrote:
: I've tried to stay out of this, I really have.

: Well the dictionary, and common usage disagree with you. Observe
: does indeed mean (1) to see and note (2) to watch closely. If
: you are blind, you aren't competent to operate a motor vehicle,
: and you aren't competent to observe the actions of a group of
: people.

The dictionary and common usage do not always (some would say infrequently) agree with legal usage. The rewriting of part 97 in 'english' has also added to the murkiness of the rules. I think that if the FCC were to be convinced that a blind VE could supervise an exam they would have no problem allowing such activity. Let's understand the the spirit of the law a little too!

: Now I read where you said you could use a live reader. But in
: that case it's the live reader who is observing, not you. And
: it is the live reader who must be certified as a VE, not you.
: Otherwise, they would not have demonstrated the competence to
: understand all that they observe required of a VE. This is
The sighted VE is not required to understand all that they observe either as far as I know. Is there a section of 4b that requires the

understanding of cheating techniques? What the VE is required to know, IMHO, is the rules as they apply to the examinees and the process. If there is any activity that the reader has reason to believe is questionable they can alert the VE and s/he can take the appropriate action.

: similar to a situation where a blind person might claim the
: right to be a licensed driver by virtue of using a live reader
: to take his driving test. I don't think the DMV is going to buy
: that, and neither is the FCC. So if you want to say that a blind
: VE can function by using a live reader who is certified as a
: competent observer by virtue of being a VE, I don't think the FCC
: would have a problem with that, but then you'd be somewhat redundant.
I think that is a fecicous (can't spell, sorry) argument. But... Driving
is a skills test and the VE exam is a knowledge test. There is a world of
difference.

Methinks I deleted the inflammatory parts. :-)

Dan

--

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*-----*
* Daniel D. Todd      Packet: KC6UUD@WA6RDH.#nocal.ca.usa      *
*                    Internet: DDTODD@ucdavis.edu              *
*                    Snail Mail: 1750 Hanover #102             *
*                    Davis CA 95616                           *
*-----*
*      I do not speak for the University of California....    *
*      and it sure as hell doesn't speak for me!!            *
*-----*
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Date: Thu, 10 Jun 93 00:21:47 GMT

From: mentor.cc.purdue.edu!noose.ecn.purdue.edu!en.ecn.purdue.edu!n9ljx@purdue.edu

To: ham-policy@ucsd.edu

References <C89DCo.7xq@pacifier.rain.com>, <1993Jun8.165024.22139@ke4zv.uucp>,
<C8DDzH.Au6@ucdavis.edu>ecn.

Subject : Re: blind VEs

In article <C8DDzH.Au6@ucdavis.edu> ez006683@othello.ucdavis.edu (Daniel D. Todd)
writes:

>Gary Coffman (gary@ke4zv.uucp) wrote:

>

>: Now I read where you said you could use a live reader. But in

>: that case it's the live reader who is observing, not you. And
>: it is the live reader who must be certified as a VE, not you.
>: Otherwise, they would not have demonstrated the competence to
>: understand all that they observe required of a VE. This is
>The sighted VE is not required to understand all that they observe either
>as far as I know. Is there a section of 4b that requires the
>understanding of cheating techniques? What the VE is required to know,
>IMHO, is the rules as they apply to teh examinees and the process. If
>there is any activity that the reader has reason to beleive is
>questionable they can alert the VE and s/he can take the appropriate
>action.
>
>Dan
>--
>*-----*
>* Daniel D. Todd Packet: KC6UUD@WA6RDH.#nocal.ca.usa *
>* Internet: DDTODD@ucdavis.edu *

Here is the point that I have a problem with. It is the READER who is making the judgements as to what is questionable. The READER is not certified as a VE. It is the READER who is doing the OBSERVING, not the VE. Unless the reader is able to convey ALL activity in the room to the VE, the VE will not be able to OBSERVE the activities and take appropriate action on the activities that the VE deems in appropriate.

--scott

--
Scott Stambaugh - N9LJX internet: n9ljx@ecn.purdue.edu
Operations Supervisor, ADPC phone: 317 494 7946
Purdue University
West Lafayette, IN 47907-1061

Date: Wed, 9 Jun 1993 19:58:04 GMT
From: dog.ee.lbl.gov!overload.lbl.gov!agate!news.ucdavis.edu!othello.ucdavis.edu!
ez006683@network.UCSD.EDU
To: ham-policy@ucsd.edu

References <1993Jun3.132405.20683@hemlock.cray.com>,
<1993Jun5.221311.9608@n5ial.mythical.com>, <1993Jun7.154920.9723@rsg1.er.usgs.gov>
Subject : Re: carrying a copy of your license (WAS:

Tom Bodoh (tbodoh@resdgs1.er.usgs.gov) wrote:

: --
: I wonder if the exemption for amateurs in the states that have scanner laws
: applies to the vehicle and radios or the amateur and radios? If the laws

: are worded like "Licensed amateur radio operators may operate..." this
: would seem to make it illegal to have the equipment in the vehicle while
: the vehicle is being driven in that state by a non-amateur - even if the
: amateur equipment is not in use. It would be helpfull to have this point
: clarified before someone ends up with their wife arrested and their radios
: confiscated - the wife will come back home (to pack, anyway) but the radios
: would be goners! Anyone have a wife who is a lawyer that would like to test
: this? ;-)

This depends on the state. In Michigan where I am going to spend the
summer it is the radio and the car. ie. you must have ham tags to carry
the radio. I think there is a blurb in the ham license plate file about
this. Look in the simtel mirrors.

: Personally, I plan on carying a copy in my wallet, taping one to the radio
: and having amateur plates in the hope of reducing the chances of even being
: questioned about it. Note that South Dakota is not the problem for me -
: it's Minnesota.

Just buy a really fast car and outrun the cops :-)

Cheers,

Dan

--

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*-----*
* Daniel D. Todd      Packet: KC6UUD@WA6RDH.#nocal.ca.usa      *
*                    Internet: DDTODD@ucdavis.edu              *
*                    Snail Mail: 1750 Hanover #102              *
*                    Davis CA 95616                            *
*-----*
*      I do not speak for the University of California....    *
*      and it sure as hell doesn't speak for me!!            *
*-----*
```

Date: Wed, 9 Jun 1993 23:23:08 GMT
From: amdcad!amdcl2!brian@decwrl.dec.com
To: ham-policy@ucsd.edu

References <C827zu.3sA@pacifier.rain.com>, <C8BE93.Iq5@amdcl2>,
<1993Jun9.135811.1174@rsg1.er.usgs.gov>
Subject : Re: Bad News For Blind U.S. Hams :-(

Tom Bodoh writes:

>

> I am not saying that Brian is prejudiced against the handicapped, just that
> the able bodied should resist any temptation to create artificial barriers

> for the handicapped.

Guess I wasn't too clear. It wasn't my intent to suggest an "artificial barrier" to stop blind people from being VE's. If observing the test session is really that important to the FCC, then the ability to observe a test session should be tested for in the VE accreditation process -- for ALL potential VE's, both sighted and not.

If the ability to observe is important enough to test for, then it isn't an artificial barrier. If it isn't important enough to test for, then the meaning of the requirement to observe should be left to the discretion of the three supervising VE's.

Handicapped people have enough barriers already, so I certainly don't advocate creating new ones without good reasons.

Brian McMinn N5PSS brian.mcminn@amd.com

Date: 10 Jun 93 02:52:21 GMT
From: walter!porthos!dancer!whs70@RUTGERS.EDU
To: ham-policy@ucsd.edu

References <C80903.8Mr@ucdavis.edu>, <1u14a0INN492@topaz.bds.com>,
<C83rM3.G8s@pacifier.rain.com>
Subject : Re: Bad News For Blind U.S. Hams :-(

In article <C83rM3.G8s@pacifier.rain.com> mikef@pacifier.rain.com (Mike Freeman) writes:

>In article <1u14a0INN492@topaz.bds.com> ron@topaz.bds.com (Ron Natalie) writes:
>>In at least the case of the ARRL/VEC, the three required amateurs are not
>>just their as body count to bless the proceedings, they are each individually
>>required to grade each exam, inspect the ID's, and review and sign the 610.
>>There's not any authority vested in the examiners to do otherwise.
>>
>That is as it should be. All we blind amateurs are asking is that we
>be given the credit, respect and responsibility for using our
>own techniques for performing these tasks.

If it can be done WITHOUT the need for another individual and without requiring the test taker to make an accommodation to the blind VE, then I'd say fine. I still can't fathom how someone who is totally blind can accomplish that, BUT I'm certainly willing to learn if there's a way to do it.

Standard Disclaimer- Any opinions, etc. are mine and NOT my employer's.

Bill Sohl (K2UNK) BELLCORE (Bell Communications Research, Inc.)
Morristown, NJ email via UUCP bcr!cc!whs70
201-829-2879 Weekdays email via Internet whs70@cc.bellcore.com

End of Ham-Policy Digest V93 #180
